

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

UNITED STATES OF AMERICA

vs.

HENRY BENTON

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CR. NO.04-20277-D

ORDER HOLDING DEFENDANT FOR FINAL REVOCATION HEARING

On July 30, 2007, *Henry Benton* appeared before me on a charge of violation of the terms and conditions of his probation/supervised release in this matter. The defendant was advised of his rights under Rules 5 and 32.1(a)(1), Federal Rules of Criminal Procedure .

At this hearing, the defendant was released on bond and, therefore, a preliminary hearing on the violation was not required. See United States v. Sciuto, 531 F.2d 842, 846 (7th Cir. 1976) and United States v. Tucker, 524 F.2d 77, 78 (5th Cir. 1975), cert. denied, 424 U.S. 966, 96 S.Ct. 1462, 47 L.Ed.2d 733 (1976).

Accordingly, defendant, *Henry Benton* is held to a final revocation hearing before U.S. District Judge *Bernice B. Donald* and in accordance with the provisions of Rule 32.1(a)(2), Federal Rules of Criminal procedure.

IT IS SO ORDERED.

ENTERED this 30th day of July, 2007.

s/Diane K. Vescovo

Diane K. Vescovo

UNITED STATES MAGISTRATE JUDGE